

## **REMARKS**

### **Entry of Amendment and IDS**

As Applicants are filing a RCE herewith, this amendment and the accompanying IDS should be entered and considered by the Examiner at this time.

Applicants will now address each of the rejections in the order in which they appear in the Final Rejection and appear to have been maintained in the Advisory Action.

### **Claim Rejections – 35 USC §103**

#### **Claims 37, 43, 48, 53, 64, 75 and 157**

In the Final Rejection (and apparently in the Advisory Action), the Examiner rejects Claims 37, 43, 48, 53, 64, 75 and 157 under 35 USC §103(a) as being unpatentable over Arai et al. (US 5,817,366) in view of Bennett (US 2,435,997), Grothe et al. (US 3,391,490), and Nagayama et al. (US 5,701,055). This rejection is respectfully traversed.

Applicants are traversing this rejection for the reasons discussed in Response (J) After Final filed on March 4, 2010.

However, while Applicants traverse this rejection, in order to advance the prosecution of this application (and in accordance with the Examiner's comment in the Advisory Action), Applicants are amending independent Claims 37 to recite the feature of "wherein the first material and the second material are different material" (see e.g. paragraphs [0048] – [0049] in the publication of the present application (US 2001/0006827)).

In contrast, neither Arai, Bennett, Grothe, nor Nagayama disclose or suggest this claimed feature, along with the claimed feature of having the layers formed in the same chamber (as explained in Response (J)).

Therefore, independent Claim 37 is not disclosed or suggested by the cited references, and Claim 37 and those claims dependent thereon are patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 38, 48, 56, 65, 76, 153 and 158

The Examiner also rejects Claims 38, 48, 56, 65, 76, 153 and 158 under 35 USC §103(a) as being unpatentable over Arai et al. in view of Bennett, Grothe et al. and Nagayama et al. and further in view of Monk (US 4,187,801). This rejection is also respectfully traversed.

For similar reasons as discussed above for Claim 37, independent Claim 38 is also being amended to recite the feature of “wherein the first material and the second material are different material”, and this feature is not disclosed or suggested by Arai, Bennett, Grothe, or Nagayama. In addition, Monk does not disclose or suggest this feature.

Therefore, independent Claim 38 is not disclosed or suggested by the cited references, and Claim 38 and those claims dependent thereon are patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 39, 48, 53, 57, 66, 77 and 159

The Examiner also rejects Claims 39, 48, 53, 57, 66, 77 and 159 under 35 USC §103(a) as being unpatentable over Arai et al. in view of Nagayama et al., Feuerstein et al. (US

4,627,989), Bennett and Yamamoto et al. (JP 11-61386, US 6,179,923). This rejection is also respectfully traversed.

For similar reasons as discussed above for Claim 37, independent Claim 39 is also being amended to recite the feature of “wherein the first material and the second material are different material”, and this feature also not disclosed or suggested by the cited references.

Therefore, independent Claim 39 is not disclosed or suggested by the cited references, and Claim 39 and those claims dependent thereon are patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 40, 48, 58, 67, 78, 154 and 160

The Examiner also rejects Claims 40, 48, 58, 67, 78, 154 and 160 under 35 USC §103(a) as being unpatentable over Arai et al. in view of Nagayama et al., Feuerstein et al., Bennett and Yamamoto et al. or in the alternative, over Arai et al, in view of Nagayama et al., Feuerstein et al., Bennett, Monk and Yamamoto et al. This rejection is also respectfully traversed.

For similar reasons as discussed above, independent Claim 40 is also being amended to recite the feature of “wherein the first material and the second material are different material”, and this feature also not disclosed or suggested by the cited references.

Therefore, independent Claim 40 is not disclosed or suggested by the cited references, and Claim 40 and those claims dependent thereon are patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 54, 68, 71, 79 and 161

The Examiner also rejects Claims 54, 68, 71, 79 and 161 under 35 USC §103(a) as being unpatentable over Arai et al. in view of Nagayama et al., Bennett, Grothe et al. and Yamamoto et al. This rejection is also respectfully traversed.

For similar reasons as discussed above, independent Claim 54 is also being amended to recite the feature of “wherein the first material and the second material are different material”, and this feature also not disclosed or suggested by the cited references.

Therefore, independent Claim 54 is not disclosed or suggested by the cited references, and Claim 54 and those claims dependent thereon are patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claims 55, 69, 72, 80, 155 and 162

The Examiner also rejects Claims 55, 69, 72, 80, 155 and 162 under 35 USC §103(a) as being unpatentable over Arai et al. in view of Nagayama et al., Bennett, Grothe et al., Monk, and Yamamoto et al. This rejection is also respectfully traversed.

For similar reasons as discussed above, independent Claim 55 39 is also being amended to recite the feature of “wherein the first material and the second material are different material”, and this feature also not disclosed or suggested by the cited references.

Therefore, independent Claim 55 is not disclosed or suggested by the cited references, and Claim 55 and those claims dependent thereon are patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claim 59

The Examiner also rejects Claim 59 under 35 USC §103(a) as being unpatentable over Arai et al. in view of Nagayama et al., Bennett and Grothe et al., further in view of Spitzer et al. This rejection is also respectfully traversed.

This claim is a dependent claim. Therefore, for at least the reasons discussed above for independent claims, this claim is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claim 60

The Examiner also rejects Claim 60 under 35 USC §103(a) as being unpatentable over Arai et al. in view of Nagayama et al., Bennett, Grothe et al, and Monk, further in view of Spitzer et al. This rejection is also respectfully traversed.

This claim is a dependent claim. Therefore, for at least the reasons discussed above for independent claims, this claim is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claim 61

The Examiner also rejects Claim 61 under 35 USC §103(a) as being unpatentable over Arai et al., in view of Nagayama et al., Feuerstein et al., Bennett, and Yamamoto et al., and further in view of Spitzer et al. This rejection is also respectfully traversed.

This claim is a dependent claim. Therefore, for at least the reasons discussed above for independent claims, this claim is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claim 62

The Examiner also rejects Claim 62 under 35 USC §103(a) as being unpatentable over Arai et al., in view of Nagayama et al., Feuerstein et al., Bennett, and Yamamoto et al., or in the alternative, over Arai et al., in view of Nagayama et al., Feuerstein et al., Bennett, Monk, and Yamamoto et al. and further in view of Spitzer et al. This rejection is also respectfully traversed.

This claim is a dependent claim. Therefore, for at least the reasons discussed above for independent claims, this claim is also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claims 105-107

The Examiner also rejects Claims 105-107 under 35 USC §103(a) as being unpatentable over Arai et al. in view of Bennett, Grothe et al., and Nagayama et al. and further in view of Bertelsen. This rejection is also respectfully traversed.

These claims are dependent claims. Therefore, for at least the reasons discussed above for independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claims 108-110

The Examiner also rejects Claims 108-110 under 35 USC §103(a) as being unpatentable over Arai et al. in view of Bennett, Grothe et al., Nagayama et al., and Monk and further in view of Bertelsen. This rejection is also respectfully traversed.

These claims are dependent claims. Therefore, for at least the reasons discussed above for independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claims 111-113

The Examiner also rejects Claims 111-113 under 35 USC §103(a) as being unpatentable over Arai et al. in view of Nagayama et al., Feurestein et al., Bennett, and Yamamoto et al. and further in view of Bertelsen. This rejection is also respectfully traversed.

These claims are dependent claims. Therefore, for at least the reasons discussed above for independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claims 114-116

The Examiner also rejects Claims 114-116 under 35 USC §103(a) as being unpatentable over Arai et al. in view of Nagayama et al., Feuerstein et al., Bennett, and Yamamoto et al. or in the alternative, over Arai et al., in view of Nagayama et al., Feuerstein et al., Bennett, Monk and Yamamoto et al. further in view of Bertelsen. This rejection is also respectfully traversed.

These claims are dependent claims. Therefore, for at least the reasons discussed above for independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claims 117-119

The Examiner also rejects Claims 117-119 under 35 USC §103(a) as being unpatentable

over Arai et al. in view of Nagayama et al., Bennett, Grothe et al. and Yamamoto et al. further in view of Bertelsen. This rejection is also respectfully traversed.

These claims are dependent claims. Therefore, for at least the reasons discussed above for independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claims 120-122

The Examiner also rejects Claims 120-122 under 35 USC §103(a) as being unpatentable over Arai et al. in view of Nagayama et al., Bennett, Grothe et al., Monk and Yamamoto et al. further in view of Bertelsen. This rejection is also respectfully traversed.

These claims are dependent claims. Therefore, for at least the reasons discussed above for independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Claims 145-148

The Examiner also rejects Claims 145-148 under 35 USC §103(a) as being unpatentable over Arai et al. in view of Nagayama et al., Feuerstein et al., Bennett, and Yamamoto et al. and further in view of either Noguchi et al. (US 4,596,735) or Martin (US 4,469,719). This rejection is also respectfully traversed.

These claims are dependent claims. Therefore, for at least the reasons discussed above for independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.



#### Claims 149-152

The Examiner also rejects Claims 149-152 under 35 USC §103(a) as being unpatentable over Arai et al., in view of Nagayama et al., Feuerstein et al., Bennett, and Yamamoto et al., or in the alternative, over Arai et al., in view of Nagayama et al., Feuerstein et al., Bennett, Monk, and Yamamoto et al., further in view of either Noguchi et al. or Martin. This rejection is also respectfully traversed.

These claims are dependent claims. Therefore, for at least the reasons discussed above for independent claims, these claims are also patentable over the cited references. Accordingly, it is respectfully requested that this rejection be withdrawn.

#### Information Disclosure Statement

Applicants are submitting an information disclosure statement (IDS) herewith. It is respectfully requested that this IDS be entered and considered prior to the issuance of any further action on this application.

#### Conclusion

It is respectfully submitted that the present application is in a condition for allowance and should be allowed.

If any further fee should be due for this amendment, the RCE, the extension of time, and/or the IDS, please charge our deposit account 23-0920.

Favorable reconsideration is earnestly solicited.

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Respectfully submitted,

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